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6 **ROBERT A. SLOVAK,**  
7 Plaintiff,  
8 v.  
9 **LYNN WHEELER,**  
10 Defendant.

Case No. 4:22-cv-02502-YGR

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**ORDER TO SHOW CAUSE RE: FAILURE TO  
PROSECUTE**

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20 Re: Dkt. No. 35

21 TO PLAINTIFF ROBERT A. SLOVAK AND HIS COUNSEL OF RECORD:

22 You are **HEREBY ORDERED TO SHOW CAUSE** in writing by **no later than January 27, 2023**, why this case should not be dismissed for failure to prosecute. Various deficiencies were highlighted with plaintiff's complaint when the Court set aside default on September 29, 2022. (Dkt. No. 31.) In light of the order, plaintiff requested to file an amended complaint by November 18, 2022. (Dkt. No. 33.) The deadline was subsequently extended to January 12, 2023 pursuant to stipulation of the parties. (Dkt. No. 35.) No amended pleading has been filed.

23 Accordingly, plaintiff must explain why this case should not be dismissed for failure to prosecute. Failure to timely respond to the order to show cause will result in a dismissal without prejudice and without further notice.

24 **IT IS SO ORDERED.**

25 Dated: January 19, 2023

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YVONNE GONZALEZ ROGERS  
UNITED STATES DISTRICT JUDGE